

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

ESTATE OF GLADYS H. LEVESTON,

Plaintiff,

-v-

1:08-CV-1118

STEVEN LEVESTON,

Defendant.

DAVID N. HURD
United States District Judge

ORDER

Pursuant to the oral decision of the Court, entered into the record after hearing oral argument on March 27, 2009, in Utica, New York, it is hereby

ORDERED that

1. Plaintiff's motion to amend the complaint is DENIED;
2. Defendants' motion to dismiss is GRANTED; and
3. The complaint is DISMISSED in its entirety.

The Clerk of the Court is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

Dated: March 27, 2009
Utica, New York.